



Community Development Department
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MINUTES
WASHINGTON CITY PLANNING COMMISSION
APRIL 20, 2016

PRESENT: Commissioner Papa, Commissioner Henrie, Commissioner Martinsen, Commissioner Hardman, Commissioner Phetsomphou, Councilmember Granger, Councilmember Belliston, Drew Ellerman, Lester Dalton, Kathy Spring, Rosemary Hoggan, Betty Horton Reber, Brandee Walker, Carolyn Hansen, Glenna Newman, Terry Newman, Hans Anderson, Laurie Anderson, Orinda Samuelson, Gretchen Peschke, David Houston, Kyle Pasley, Ben Willits, Jeff Poulton, Mark Williamson, Kymmberlee Conway, Karla McArthur, Terry Whipple, Nancy Larsen. Stan Thancker.

Pro Tem Chairman Papa calls meeting to order. Commissioner Smith excused.

Meeting Called to Order: 5:38 P.M.

Invocation: Henrie

Pledge of Allegiance: Phetsomphou

1. APPROVAL OF AGENDA

A. Approval of the agenda for April 20, 2016.

Commissioner Henrie motioned to approve the agenda for April 20, 2016.

Commissioner Hardman seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from April 6, 2016.

Commissioner Martinsen motioned to approve the minutes from April 6, 2016.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Hardman abstains from item 6-A due to his firm represents Jack Fisher Homes.

4. PLAT AMENDMENT

- A. Public Hearing for consideration and recommendation to City Council for a Plat Amendment for New Warm Springs Phase 2 to eliminate clubhouse common area and change to lot 32 residential. Located at 1150 North Graham Manor. Applicant: Terry Whipple, HOA President.

Background

Drew Ellerman stated the applicant is requesting approval of an Amended Final plat for the New Warm Springs, Phase 2 subdivision, located at approximately 1150 North Graham Manor. This particular amendment request is simply to create a private building lot from the existing "club house - common area". In other words, the club house swimming pool area is being abandoned and turned into a standard lot for a private residential parcel, which will be referred to as "Lot #32" in the New Warm Springs, Phase 2 subdivision.

Staff has reviewed the proposed amended final plat and finds it conforms to the zoning at this particular location (R-1-6), the subdivision is also in conformance to the Subdivision Ordinance of the City. Staff is recommending that the amendment be recommended for approval.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Amended Final Plat for the New Warm Springs, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Commissioner Phetsomphou asked what is happening to the Clubhouse.

Mr. Ellerman stated he isn't sure, he will let the applicant can answer the question.

Terry Whipple HOA of New Warm Springs stated the structure will remain but turned into a residential home. He stated there is a buyer.

Commissioner Henrie asked for clarification that all property owners want this change.

Mr. Whipple stated there was 99% only one didn't agree. There are 3 bedrooms and the buyer may keep the pool.

Commissioner Papa opened the public hearing.

No response.

Commissioner Hardman motioned to close the public hearing.

Commissioner Hardman stated the condition don't appear to be applicable to this request.

Mr. Ellerman stated that is correct the conditions are for recording purposes.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Hardman motioned to recommend approval to City Council with the findings and conditions of staff.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

5. PRELIMINARY PLAT

- A. Public Hearing for consideration and recommendation to City Council for The Cottages at The Village at Stucki Farms Preliminary Plat located at approximately 4700 South Washington Fields Road. Applicant: Karl Larson

Background

The applicant is requesting approval of a Preliminary plat for The Cottages at The Villages at Stucki Farms subdivision, located at approximately 4700 South Washington Fields Road. The applicant is proposing 74 lots on an area of coverage of 19.64 acres. The zoning designation at this particular location is Planned Community Development (PCD).

The proposed subdivision conforms to the approved zoning. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for The Cottages at The Villas at Stucki Farms subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions

1. A preliminary and final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.

10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
12. Parking and Garage areas that appear on the plat (which are not on approved public city streets) need to be labeled as private at each location.

Commissioner Papa asked about the parking in relationship to the streets.

Mr. Ellerman stated normally you would not see this type of street but they amended the Stucki Farms cross sections for these types of streets. It should be this village and the one to the south. The streets are 24 feet of asphalt then they widen to 37 feet. Then there are sidewalks.

Commissioner Henrie asked if the streets are named.

Mr. Ellerman stated at Final plat there are street names.

Commissioner Papa opened the public hearing.

No response.

Commissioner Henrie motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Hardman motioned to recommend approval to City Council with the findings and conditions of staff.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-16-06 to amend the PCD for Coral Canyon Commercial Area Parcel 2, 7B, 18, 19, 21A, 22 and 24 from Commercial to Multi Family Recreational (MFR). Located at approximately Park Center Drive, Coral Canyon Blvd and Telegraph Street. Applicant: Jack Fisher Homes

Background

The applicant is requesting approval to Amend a portion of the Coral Canyon PCD project, more specifically, the "Land Use Master Plan for Coral Canyon" Map. The request is to re-designate several areas in the overall development to the "Multifamily Recreational" category as portrayed on the master land use plan map. The applicants are also re-numbering areas as shown on the plan map, adding more distinct development districts throughout the PCD. This in turn has amended (or modified) the "Land Use Table" as found on the "Land Use Master Plan for Coral Canyon" Map.

Staff has reviewed the proposed amendment to the Coral Canyon PCD project plan. Staff is supportive with the proposed amendments as outlined.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-16-06, for the zone change request, Amending the Coral Canyon PCD project plan, more specifically the “Land Use Master Plan for Coral Canyon” Map, to the City Council, based on the following findings:

Findings

1. That the requested zoning amendment conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning amendment will be compatible with surrounding developments.
3. That no other changes (only those as outlined above) are implied to the remaining Coral Canyon PCD project plan.

Commissioner Hardman asked about area 6 and 7B.

Mr. Ellerman stated on the plan it is a commercial center for 7B around the golf course. For 6 is residential.

Commissioner Hardman stated he feels short-term rental would be in harmony with the commercial.

Commissioner Phetsonphou asked about the exiting short term rental.

Mr. Ellerman stated Coral Ridge Townhomes has their own CC&Rs but are a part of the Coral Canyon Development.

Commissioner Henrie asked if with the zone change does this stay in the PCD development.

Mr. Ellerman stated this doesn't change the PCD Development Agreement it does change the use for the areas being requested.

Commissioner Henrie asked if there would be additional approvals.

Mr. Ellerman stated when they come in for development with the preliminary plat you will see the laid out plan and can address issue and concerns at that time.

Commissioner Henrie stated he would like Mr. Ellerman to explain what is permitted.

Mr. Ellerman stated as you can see on the map the area being requested for a zone change will have the short-term rental use. He stated the request is near the patio homes and commercial areas. Area 8 has Telegraph dividing it.

Commissioner Hardman stated the commission might consider approving some of the areas and see if how it works then there is a historical record to compare to.

Commissioner Phetsomphou stated he is concerned with short-term rentals and crime.

Mr. Ellerman stated it took a year to come up with an ordinance for the short-term rental. What brought this about was a home in a residential subdivision then when investigating they found a lot of these so the city decided there needed to be an ordinance. At one time there were few City Council members who wanted this until they came up with an ordinance for an overlay with 5 acres and a conditional use permit with 75% within a 500 foot radius.

Commissioner Phetsomphou stated he isn't against short-term but there is a place for them.

Commissioner Hardman stated it would be hard to deny the use at all.

Mr. Ellerman stated that is why the city decided to create a process for them.

Commissioner Phetsomphou stated there are a lot of people doing this.

Mr. Ellerman stated the neighbors come in to complain about them. He stated he has been given a directive to search for the ones doing it illegally.

Commissioner Phetsomphou stated he would like to have space between the homes. He stated with what is being considered it looks as if there is some spacing.

Commissioner Henrie stated a planned development is a place for them and gives the city the opportunity to look at this type of use. He stated this request is an ideal situation. He stated Coral Canyon as a DRC.

Ben Willits stated the areas are not a part of the residential HOA, it is a part of the commercial HOA. He stated there are a different guidelines from that of the residential. Area 7 is a part of the residential HOA. He stated he is proposing a separate HOA for the short-term rental areas. he stated area 7 is difficult to develop because of the plateaus. He stated they have been working with SITLA.

Commissioner Papa opened the public hearing.

Kyle Paisley from SITLA stated they are the landowners. He stated he would like to address the historic view. The current commercial could not sustain the commercial use so with struggling with that they have decided this would be a good use. He stated they have looked at traffic and area 24 is sustainable for a hotel area and is more disruptive to the adjacent property owners. He stated they want to bring something into the commercial center area. He stated that they are allowing Jack Fisher as the design authority and SITLA would approve it. He stated that in the requested location there are buffers.

Commissioner Phetsomphou asked about area 2.

Mr. Paisley stated is an open space between the residential.

Commissioner Henrie asked if the intent is to support commercial.

Mr. Paisley stated he would like to have more roof-tops and that would bring in the commercial. A majority of the property owners are second homeowners.

Hans Anderson stated he is concerned with density with short-term rental. He stated he would like to see height restrictions and density. He stated Coral Ridge seems to be staked in. He stated he went to Jack Fishers office and they gave him a conceptual idea of what the units will look like. He stated he wants the short term rental to be a good neighbor.

Terry Newman stated he is concerned with Multi Family Recreation and the city has RRST.

Mr. Ellerman stated Coral Canyon is a PCD and they have a verify of zoning in their development agreement. There is no difference in the MFR and the RRST.

Mr. Newman asked if Sienna Hills has that designation.

Mr. Elleman stated the Sienna Hills has their own designations.

Mr. Newman stated he lives by area 24 and his concern is when he bought into the Coral Canyon because that was designated as commercial and now there is a change. He stated he wants Jack Fisher to do the right thing with area 24 to accommodate the existing residents. He stated he was told by Jack Fisher Homes that they would do the one story units. He stated area 24 is the back yard from where he lives.

Mark Williamson stated he sold some homes in this area and they weren't aware of this. He stated with area 24 coming in and area 26 residents are concerned because they weren't aware of this.

Ben Willits stated he wants to make it clear that they are not hiding anything. The public notice was sent in a timely manner. He stated there are a lot of people involved to make this happen. He stated they are drilling soil testing holes. He stated once the deal goes through with SITLA they will bring in plans for the public to see. He stated this is part of the process and the plans are not ready yet because they need to know if the zoning will happen first. He stated he is willing to share any plans and designs and they want to be a good neighbor because they want good neighbors. SITLA has an office across from them.

Commissioner Henrie motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Hardman asked if at this point they are able to do the short-term zoning designation.

Mr. Elleman stated that is correct then they will come in for a preliminary plat.

Commissioner Hardman asked if they would see the type of design.

Mr. Ellerman asked Mr. Paisley about the height.

Mr. Paisley stated the CC&R is 35 feet.

Mr. Willits stated most of the one story's are 25 feet with flat roofs for all of the areas. Areas 22 and 21A may be narrower. In area 24 there will be 5 dwelling units per acre. The existing residents most likely won't see the units.

Commissioner Henrie asked about parking for boats.

Mr. Willits stated in area 18 and 19 there are going to be parking for recreational vehicles. It is difficult to provide a lot of parking for the recreational vehicles.

Commissioner Hardman asked about the maximum density is.

Mr. Willits stated about 10 to 12 units. He stated it depends on the area and what is buildable. Some will be 7.5 units per acre. He stated they are working with SITLA in how the layout will be and the design.

Commissioner Hardman asked why all the areas now instead of doing one at a time.

Mr. Willits stated it is the timing and paying of fees are what they would prefer not to do. If they do this at one time then they can start a design and plans. He stated 7B wouldn't have any changes for the next two years. He stated for clarification on the height they would work it out when they bring in the preliminary plat and doesn't want to misspeak at this point.

Commissioner Henrie motioned to recommend approval to City Council with the recommendation and findings of staff.

Commissioner Phetsompou Aye

Commissioner Hardman Aye

Commissioner Marttinsen Aye

Commissioner Papa Aye

Motion passed unanimously.

Commissioner Henrie motioned to adjourn the Planning Commission Meeting.
Commissioner Martinsen seconded the motion.
Motion passed unanimously.
Meeting adjourned: 7:25 PM

Attested to: Kathy Spring
Kathy Spring, Zoning Technician

Washington City
Signed by: Rex Papa
Rex Papa, Pro Tem Chairman